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OBITUARY NOTICE OF HORACE BINNEY, JR.,

Read before the American Philosophical Society,

BY CHARLES J. STILLE.

It is not often that the judgment of a man's life and character by the world agrees with that of his intimate friends. By the world, success in life is too often measured by results which strike most forcibly the popular imagination ;—it means a large fortune, a brilliant professional reputation, opportunities eagerly sought and adroitly taken advantage of, for gaining prominent public positions. To his friends on the other hand, a man may be most endeared and best remembered by qualities of which the world knows nothing, or at best knows them only as they are seen in the perfect symmetry of his life. Happy is the memory of him who, dying, forces the world to forsake for once the false standards by which it commonly judges character, and extorts from it an involuntary homage to what is real and true in human life. I think that the career of our late friend and colleague, Mr. Binney, is an illustration of this rare coincidence between the opinion of the world, and that of a man's inner circle of friends. Here was a man who won none of the great prizes of life as the world counts them, who was not a successful politician, who never aspired to high official position, or gained great professional reputation, who had none of the arts which please the multitude, who was simply a man of warm sympathies, and generous culture, striving to do his duty in the fear of God in that station of life in which his lot had been cast, a simple-hearted, modest Christian gentleman,—and yet when he dies, a voice comes to us made up of many voices, proclaiming that his conception of life was a just one, and that such a life is worthy of our affectionate commemoration.

HORACE BINNEY, JUNIOR, was born in Philadelphia, on the 21st of January, 1809. He was the eldest son of the Honorable Horace Binney, and one of the many blessings of his life was, that during the whole of it he felt himself supported by the wise counsel, the sure guidance, and the lofty example of such a Father. The influence of Fathers upon their children is, I fear, declining in this age and country, but in this case the deep yet discriminating affection of the Father for the son, and the profound filial reverence of that son towards the Father, forms a picture as attractive and suggestive, as unhappily in our experience it is rare. Such a relationship between two such men continued for threescore years, could not be without an important influence on both. By the younger, at least, it was felt as a power which he never referred to, except to speak of it with gratitude, as having happily controlled the whole course of his life.

As a boy, Mr. Binney was of a serious and thoughtful turn. His love of study, and his exquisite moral sense were developed simultaneously, and they soon became blended in that perfect harmony which formed the great charm of his character in his maturer years. He was somewhat shy and retiring in his disposition, and possibly a constitution never very robust, may have unfitted him for those boyish sports for the keenest enjoyment of which high animal spirits are essential. His studies began in the school of Mr. James Ross, and under the training of that most accomplished teacher he gained great proficiency in the Greek and Latin Classics. In this school, among his friends and associates, were the late Professor Henry Reed, Charles Chauncey, a young man of great promise, cut off in early manhood, and the Rev. Dr. Hare—and they remained his friends until death divided them. “He was remarkable among his school-mates” says the last survivor of these companions, “for the qualities which distinguished him in after life. He was to an unusual degree just, regular and industrious. I have no remembrance of his having ever missed a lesson or incurred a censure.”

Mr. Binney entered the Freshman class in Yale College, in the autumn of 1824, in his sixteenth year. Although he was with one exception, the youngest member of a class nearly one hundred strong, his attainments in the classics were far beyond those required by the College rules for admission. This proficiency gave him of course a great advantage at the start, and was no doubt one cause of his high standing in his class. I well remember years afterwards at Yale a tradition, that Mr. Binney’s class was one of the most brilliant which had ever passed through that College, and in this class he carried off the highest honors. Those who know what is meant at Yale by that distinction, can best estimate not merely the attainments, but the force of character required in a boy of twenty years of age to reach it. His friends at College, like his friends at school, seem to have been chosen from those whose subsequent career proves his early discriminating judgment of character. I need mention only the names of two of our most eminent colleagues, Mr. Justice Strong, and Dr. Barnard, President of Columbia College, who were his class-mates, and his life-long friends, in illustration of what I have said.

Perhaps however, the most powerful influence in moulding his character at this period of his life, came from a source outside the College. During the four years of his residence there, not a day passed in which a letter was not written by the Father to the son, or by the son to the Father. Such a correspondence could never have been maintained without that profound mutual confidence in each other which was a striking characteristic of both. It had too the inestimable advantage of making the Father and the son better known to each other, and one of its results was, that the Father who

had been the most careful and judicious of parents while his boy was at College, regarded him from the time he left it to the day of his death, as a younger brother rather than a son.

It is not to be supposed that because Mr. Binney attained the highest College honors, he had no time or inclination for studies beyond the ordinary *curriculum*. Although a firm believer to the last, in the simply disciplinary value of a thorough study of the Classics and the Mathematics, he never had the folly to suppose that four of the most precious years of his life were to be given merely to training his intellect, without storing his mind with knowledge, or cultivating his taste. His study of languages, and especially of Greek, led him into a far wider field than that embraced by an accurate knowledge of their grammar and their idioms. His proficiency was such that he was able to do that which few young men at College ever do, to regard the ancient languages principally as the vehicles of the literature of the people who spoke them. He was thus led to study in the best way, the civilization of the free states of antiquity. No one had a finer appreciation of what modern culture owes to Greek models. He himself was thoroughly imbued with their spirit, and their influence was conspicuous in liberalising his views and directing his studies all through life.

There can be, I suppose, little doubt that Mr. Binney's strong religious nature inclined him after he left College to adopt as a profession, that of the Sacred Ministry. That he acted wisely in not following this inclination, no one who now looks back upon his career can doubt. Mr. Binney's life as a layman was a living epistle of all virtues, a daily exhibition in the midst of no ordinary trials and duties, of purity, goodness, faith and truth, and it is not to be doubted that the silent influence of such a life upon those around him was as powerful and as healthful as if he had been the most brilliant professional teacher of those Divine truths, the fruits of which were so conspicuous in his daily walk and conversation. There is no warrant for the statement which has been made, that he wished to devote himself to the Ministry, and that he was persuaded by his Father to study Law. His Father, no doubt wished and recommended it, but his intervention was confined to pointing out the priceless value of the life of a truly religious layman in the world, and more particularly that among such religious men in England, were to be found several of her most eminent Judges and Lawyers. No one, indeed, who knows how solemn a thing duty always was with Mr. Binney, and how absolute was the confidence which his Father reposed in him, can doubt that the decision when arrived at, was the result of his own free and deliberate choice.

Mr. Binney's career as a Lawyer was not a striking or brilliant one. He studied his profession, as he did everything he undertook,

thoroughly and conscientiously, and his well-trained mind, and habits of industry, made him a master of the great principles of the science. But he was never intended for a professional *athlete*. He had none of the abundant self-assertion, the eager watching of opportunity for advancement, or the disposition to regard litigation as a game, the chief interest of which lies in the chances of success of those who conduct it, which are so characteristic of one class of Lawyers, while he had not those extraordinary gifts which make the fame of the truly great Lawyer, like that of the great Historian, one of the rarest of intellectual distinctions. He was however without doubt, one of those who do most to secure for the Profession the confidence of the Public. His nature abhorred all the arts of low cunning and chicanery, or rather with a certain noble simplicity, he seemed scarcely aware of their existence, and he lived in a moral atmosphere so pure, that it inspired every one who approached him with implicit trust and confidence. Hence in that large class of cases (much larger than is commonly supposed), in which the moral qualities of the man are quite as important to the interests of the client as the professional skill of the lawyer, he found abundant occupation. He was eminently a safe counsellor, accurate and thorough, and perfect master of any case which had been confided to him. I have been assured by one of the most eminent living Jurists, that there are at least two cases in our Reports in which Mr. Binney's printed arguments have always seemed to him models of Professional skill, showing on his part perfect familiarity with some of the most intricate and difficult questions of the Law.

Mr. Binney's extreme modesty, and his utter aversion to display or ostentation of any kind, confined his reputation as a scholar chiefly within the limits of those who knew him well. To his friends he seemed always a man of genuine scholarly instincts, loving the familiar intercourse of the wise, the true, and the good of all ages, as a means of enriching and invigorating his own nature. His memory abounded with passages from his favorite Latin authors, and he studied Greek literature, and especially the Greek Scriptures in a thoroughly critical spirit. I have often heard him refer to certain expressions in the original, the peculiar significance of which he thought had been lost in the translation. He talked often of St. Paul as one of the finest specimens of Greek culture, and nothing could be more instructive than to listen to his analysis of the speech before Agrippa, and of its points of resemblance to the most celebrated productions of the Greek orators. He referred frequently to the connexion between Greek culture, and the spread of Christianity, and to the providential combination for that purpose at the time of its Advent, of the Jewish or Monotheistic idea of the Deity, of the Greek conception of the dignity of man, and of the universal Roman

sway. He was fond of the study of history, but its chief interest to him, was as a record of the dealings of God with his creatures, and of the influence of the Church as a divinely organized institution in the world. His familiarity with ancient literature and ancient history never tempted him as it has done so many scholars in our day, to make it the basis of a destructive criticism which would leave us no Divine revelation, and no personal God. If he abstained, it was not from indifference, nor from a fear of the consequences, but because no man ever had a clearer intellectual perception than himself, of the boundaries between the domain of faith and that of reason.

The classical spirit with which Mr. Binney was imbued, formed the basis of all his canons of taste and criticism. He had learned at least one thing from the Greeks which so many are apt to forget, and that was the value of simplicity and truth in style. He had a great dislike for everything that was exaggerated, abnormal, or simply pretentious. Like Plato, he sought the beautiful by striving to find the true, and any picture in which truth and reality were sacrificed to effect failed to make the intended impression upon him. He thought that the ancient Poets and Dramatists portrayed most truly human emotions and passions, because their descriptions were at least consistent and natural, and because they did not present to us as real human beings, those literary monsters of modern times,—“the names linked with one virtue and a thousand crimes.” He had the keenest perception of what was of real value, either in the form or in the substance of the writings of others. He especially disliked that mode of presenting or discussing a subject which was simply rhetorical, passionate, or sensational. Such a style offended equally his moral, and his æsthetic principles. It was not true because it was one-sided, and there was no beauty to him in anything which was not true. I have always regarded Mr. Binney as one of the best illustrations I have ever met with, of the practical value of classical studies, and I may mention here that during his long service as a Trustee of the Protestant Episcopal Academy,—extending over a period of nearly forty years,—and as a Trustee of the University, he was unceasing in his efforts to uphold their dignity, and in insisting upon their value in every scheme of liberal culture.¹

¹ The following anecdote will illustrate Mr. Binney's familiarity with Greek style.

Mr. Richard Henry Wilde, once a member of Congress from Georgia, and an accomplished scholar, had written some beautiful verses beginning, “My life is like the summer rose, &c.,” which being published in the newspapers, became widely known. Some time after, Mr. Wilde was surprised to find in a Georgia newspaper, a Greek Ode purporting to have been written by Alcæus, an early Eolian poet of somewhat obscure fame, and it was claimed that Mr. Wilde's verses were simply a translation of this Ode, the ideas in both being almost identical. As Mr. Wilde had never heard of Alcæus, he was much puzzled to account for this resemblance of the two poems. At the suggestion of a friend, the Greek Ode was sent to Mr. Binney for examination and criticism. He at once, much to the relief of Mr. Wilde, pronounced it a forgery, pointing out wherein its style differed from that of classical Greek. It turned out afterwards that the Ode in question had been written by an Oxford scholar on a wager that no one in that University was sufficiently familiar with the style of the early Greek poets, to detect the counterfeit. To carry out this scheme, he had translated Mr. Wilde's verses into Greek.

It is not to be inferred from what has been said, that Mr. Binney led the life of a secluded student, for he felt the deepest interest in the great movements which were going on around him, yet it is also true that he had no ambition to occupy a prominent position in public life. The arts of the politician were abhorrent to every instinct of his nature, and he felt, as we all do, that by these arts success is chiefly gained in a public career. He was one of that class, who, observing quietly the current of human affairs, are not disposed to make vain efforts to check its course until it threatens to sap the foundations of society, and those who have hitherto guided it lie panic-stricken and helpless. Such men form the true reserve force of a nation; never seen, almost never thought of in days when all is smooth and prosperous, they are the only guides who are trusted in the crisis of danger. Mr. Binney was a typical man of this class. He was forced into public life when earnest men sought to purify our Municipal Government, or when the suppression of riot and bloodshed in his native city, required him to assume the singularly uncongenial duties of a Captain of a Volunteer Company.

In his religious opinions, Mr. Binney was a conservative Churchman. He had deeply studied the organization and claims of the Christian Church, and was strongly convinced of the rightfulness of its authority as a Divine agency in this world. With a most devout and earnest spirit, he strove through this means to uphold a high standard of Christian life and duty. He revered the memory of the Saints and Martyrs of that Church. The virtues which distinguished them—child-like faith, humility, self denial, and an earnest love of the weak and the lowly—were those which found in him the fullest recognition and sympathy. His moral instincts and his mental culture were here also in perfect harmony, and his enthusiasm for Saintly George Herbert, and his familiarity with Keble's Christian Year, which he could repeat from beginning to end, were due, not merely to his appreciation of the literary merits of those Poets, but also to their praise of those virtues which it had been his life-long concern to cultivate.

Mr. Binney's peculiar views concerning the Church and its functions, modified his opinions upon many important questions, especially in regard to those great movements of moral reform by which the present age is so strongly characterized. With an ardent desire that men should grow purer and happier, his sober and serious judgment made him very slow in adopting any one of the plausible schemes by which it was proposed to accomplish that desirable object. He was no humanitarian. He had very little hope for the future of the race outside the influence of Christian faith and duty. He saw too much of the disturbing passions of mankind to believe that true progress could be made in any other way. In all his work for his fellow-

men he was guided by a principle far deeper and more enduring than a vague sentiment of philanthropy, and that was, obedience to a duty divinely commanded. Hence his zeal had all the characteristics of duty,—courage, constancy and self-denial—and none of the weaknesses attendant upon mere passionate impulse.

How completely Mr. Binney's whole life was the outgrowth of this principle of duty was shown by his conduct during the war. He had no favorite theories to establish, no passions to gratify by the subjugation of the Southern people. Moreover, he was one of those who, while he deplored most deeply the evils of slavery, felt himself bound by the force of positive law to abstain from interfering with it where it existed. Yet when a gigantic conspiracy to overturn the government of the country revealed itself, he regarded it with almost judicial calmness, and he prepared to resist it, as he would have performed any other high duty with all the manly earnestness of his nature. Shocked and indignant, no doubt, he was :

“ Neque enim siluisse licebat,
Cum passos, mœrens indigna, Columbia crines
Et pectus lacerum et stillantia lumina monstrat.”

Yet he never lost his balance : he went about his work with a sober enthusiasm which was deep-rooted in conscientious conviction. He never doubted or wavered, nor weakly desponded, but keeping his eye steadily on the end in view, he gave himself and all that he had to the support of the government. Nothing was more suggestive than the sight of this quiet, undemonstrative gentleman, in active sympathy with the country in danger. Of all the many schemes devised here to give popular aid to the authorities during the war, he was a most zealous promoter. He was one of the founders of the Union League of this City, an agency in the successful prosecution of the war, the value of which I do not think it easy to over-estimate. He was never unduly excited by our successes, or depressed by our reverses, and I do not think that I ever saw him more moved during the war, than when on a public occasion here, he expressed his satisfaction that he was at last permitted to give free play to his convictions concerning slavery, and to aid with a clear conscience in its destruction.

Mr. Binney's services during the war were not confined, as is well known, to a hearty support of the policy of the government. His active sympathy soon embraced those who were called upon to defend the country at the risk of their lives. He sought every opportunity to promote their health, comfort and efficiency. He helped to build up that great monument of American civilization, the United States Sanitary Commission, and he is entitled to a full share of whatever honor may be due to those who organized and carried on the grandest and most efficient system of voluntary relief to the sick and wounded of an Army known in History since wars began on earth.

He was elected on the thirtieth of July, 1861, by the gentlemen appointed by the President of the United States, a "Commission of Inquiry and Advice in respect of the Sanitary Interests of the United States Forces," a member of that body. His duties in this position were all engrossing. To do properly the work which the Commission had undertaken to do, which was nothing less than an attempt to supplement by the full measure of popular sympathy the deficiencies of the government service in the care of the suffering of the Army, required something more than mere devotion and zeal. If the whole project was not to end by increasing the very evils it sought to remedy, there was need of the utmost judgment, prudence and intelligence on the part of those who managed its affairs, in order to secure the harmonious co-operation of the army officials. In shaping and directing the policy of the Commission to this end, Mr. Binney was always conspicuous. On many occasions during its sessions in Washington, I was impressed with his sound and well-considered views, not merely in regard to the general objects of the Commission, but as to the best methods of securing them. His judgment was always so sure and calm, his counsel so wise and patriotic, that he soon gained the fullest confidence of his colleagues, many of whom were among the foremost men in the country.

But Mr. Binney's care for the sick and the suffering of the Army during the war, did not end with this general supervision of the means to be taken to improve their condition. One of the methods adopted by the Sanitary Commission to organize popular sympathy on the widest basis, was the establishment of branch or tributary associations in different parts of the country. In pursuance of this plan, Mr. Binney was instructed to organize in December, 1861, such an association in this City. By his zeal and personal influence, he gathered round him many of our prominent citizens, who desired to aid in this great scheme of Army relief. Of this body, called the "Philadelphia Associates," Mr. Binney was Chairman during the war, and by means of its labors, more than a million and a half of dollars were contributed in aid of the purposes for which the Commission was established. It is impossible, it seems to me, to recall the vast proportions which this work assumed without admiration, wonder and gratitude. Under Mr. Binney's wise and earnest leadership, it collected vast supplies from the homes of the country, and distributed them to the suffering of the Army, it supplemented the needs of the Military Hospitals, local and general,—it was foremost in relieving the miseries of battle-fields; it established a Hospital Directory, by means of which the condition of the suffering soldier, in any Military Hospital, might become speedily known to his friends, and it maintained a Bureau for the purpose of collecting the soldiers' claims on the government without charge to him. To carry on this

great scheme, it secured large contributions from our citizens, and as its crowning work, it organized the Great Central Fair in 1864—an enduring memorial, not merely of the patriotism and mercy of the people of Philadelphia, but also a wonderful proof of their perfect trust that their vast benefactions would be wisely administered by Mr. Binney, and the gentlemen associated with him.

It has sometimes been said that the war and its duties, brought into active exercise qualities in many men which had lain dormant all their lives, and of the existence of which they themselves had hardly been conscious. But in Mr. Binney's case, the war only offered an opportunity for an exhibition on a wider sphere of virtues, which had been his essential characteristics through life. He had courage, for instance,—not mere coolness in the midst of danger, although he possessed that to an eminent degree,—but a much loftier quality, which the French call the courage of one's opinions. His convictions were intensely strong, and when once formed, no power on earth would move him. Out of every conviction grew a duty, which soon brought forth fruit in an appropriate act. No one who knew Mr. Binney, could doubt his perfect readiness to maintain opinions so formed, with the courage and constancy of a martyr. And yet there was at all times in him, such true modesty, and a manner so unassuming, and almost shrinking, that to many the real strength of his nature lay hidden. His largeness of view, and his innate sense of courtesy, preserved him from the slightest taint of arrogance when he differed from others. Certainly, no opinions were held by Mr. Binney more strongly or clearly, than those concerning the nature and the functions of the Church, and yet I have seen him in the most intimate personal relations with representatives of almost every type of thought on this subject, except his own, at all times most zealously co-operating with them in the performance of duties demanded by a common Christianity.

As Mr. Binney was earnest and constant in his devotion to any cause the success of which he had at heart, so he was enthusiastic in his attachment to those whom he honored with his friendship. This is a trait of his character which I think is little understood. Few suspected what a fount of generous affection and tenderness lay hidden under that quiet and undemonstrative exterior. When he once trusted a man, he seemed to give himself up wholly to him. The only instances which I can recall, in which his usually calm judgment was disturbed, arose from this intense desire to serve his friends. On one occasion I had urged him to support for an important position a gentleman in whose success I felt a deep interest. After listening patiently to what I had to say, he suddenly exclaimed: "*Do not press me, do you know that Dr. ——— (the opposing candidate), once saved my life?*" Then again, he was led to feel that one of his friends

had done some service to the country by his writings at a critical period of the war. From that hour his heart warmed towards that friend: he gave him his fullest confidence, he spoke in the most unmeasured terms of the value of his services, and whatever influence he could command, was thenceforth exerted to secure for him posts of trust and honor. And this is the man, with a heart as simple as a child's, and as tender as a woman's, who was thought cold and formal by those who did not know him.

Mr. Binney never fully recovered from the effects of an illness through which he passed about ten years ago. Within a few weeks of his death, a disease of the heart was rapidly developed, and he was snatched away from his family and friends with startling suddenness, on the third of February, 1870. He left a widow, the daughter of the late William Johnson, Esquire, of New York, the eminent Reporter, and the intimate friend of Chancellor Kent, and seven children.

His life seems to me to have been in its symmetrical beauty almost an ideal one. It was nurtured and strengthened by the two great principles out of which all true excellence springs, Trust in God, and Devotion to Duty:

"Thus it flowed
From its mysterious urn a sacred stream,
In whose calm depths the beautiful and pure
Alone are mirror'd; which, though shapes of ill
May hover round its surface, glides in light,
And takes no shadow from them."

OBSERVATIONS ON THE FISHES OF THE TERTIARY SHALES OF GREEN RIVER, WYOMING TERRITORY.

BY PROF. E. D. COPE.

Physoclysti.

ASINEOPS, Cope, gen. nov.

FAM. SQUAMIPENNES. Branchiostegal radii, seven; ventral radii I. 6-7. Opercular and other cranial bones unarmed; scales cycloid. Spinous and cartilaginous dorsal fins continuous; caudal rounded; anal with two spines. Lateral line distinct, not interrupted. Operculum with regularly convex posterior border. Teeth coarsely villiform, without canines. Both spinous and soft portions of dorsal and anal fins moderately scaly.

This well marked genus is established on the remains of fifteen individuals, in various states of preservation, so that the characters undistinguishable in one, can be discovered in another. Thus the lateral line is preserved in one only, and the teeth in another. In none can I be entirely sure that I see the vomer.

The scales are preserved in many specimens, and I cannot find a ctenoid margin in any, nor any radiating sculpture, but delicate concentric ridges continued round the central point proximally, distally forming parabolic